

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

RANDOLPH P. BROWN,

Defendant.

CASE NO. CR21-058RSM

ORDER DENYING MOTION FOR  
RECONSIDERATION

This matter comes before the Court on Defendant Brown's Motion for Reconsideration. Dkt. #237. The Court has determined that responsive briefing and oral argument are unnecessary.

Mr. Brown moves for reconsideration of the Court's Order, Dkt. #236, denying his Motion for Revocation of Detention Order. Mr. Brown does not argue that the Court's prior Order contained legal error, rather that there is new information which could not have been brought to the Court's attention earlier that should change the Court's ruling. This new information is that "[Mr. Brown's] daughters have returned to living with their mother, and they are homeless, living in a SUV which moves from location to location in this area. The girls are not attending school because of the upheaval." Dkt. #237 at 2–3. There are no other new facts; no declaration is attached to the Motion.

1 “Motions for reconsideration are disfavored.” CrR 12(b)(13)(A). The court will  
2 ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or  
3 a showing of new facts or legal authority which could not have been brought to its attention  
4 earlier with reasonable diligence. *Id.*

5 The Court has already set forth the relevant facts and analysis in its prior Order. *See* Dkt.  
6 #236. That Order stated “the defendant repeatedly violated the conditions of his bond....  
7 [resulting] in the filing of nine different violation reports. These violations included repeated  
8 alcohol and drug use.” *Id.* at 2. The Order acknowledged “issues with the Defendant’s  
9 truthfulness with the [pretrial services] officer and with the Defendant properly charging his  
10 location monitor.” *Id.* Magistrate Judge Vaughan determined that the conditions in the bond  
11 were insufficient to secure the safety of the community and, even if there were, the Defendant  
12 was unlikely to abide by such conditions. *Id.* The Court’s Order agreed with this determination.  
13 The Court found that “the factors normally considered would weigh against release given  
14 Defendants’ increased risk to the community since the initial detention hearing and the  
15 [possibility] of flight given his issues with location monitoring.” *Id.* at 4.

16 Mr. Brown’s new facts have nothing to do with his risk to the community or the  
17 possibility of flight. They do not materially change the Court’s prior analysis.

18 Having reviewed the briefing, along with the remainder of the record, the Court hereby  
19 finds and ORDERS that Defendant Brown’s Motion for Reconsideration, Dkt. #237, is DENIED.

20 DATED this 28<sup>th</sup> day of October, 2022.

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25 RICARDO S. MARTINEZ  
26 UNITED STATES DISTRICT JUDGE  
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